

MINUTES OF THE LEGISLATIVE HEARING

Excerpt Pertaining to J111E Excessive Consumption of Inspection Services Bill from June 3, 2010 to July 8, 2010

October 5, 2010

474 Curtice Street East (J1101E) – Approve the assessment.

Fred Vanderbeek appeared.

Ms. Moermond asked for a staff report. Mr. Yannarely reported that the summary abatement order for excessive consumption of City services and illegally occupying a house without getting permits signed off were issued June 11 and June 28, 2010. Mr. Yannarely said that there are notes in the file that in February, a night check by Koehnen and Singerhouse noticed that the property was occupied, lights were on, there were footprints in the snow; and a follow up check showed that it was still occupied. The matter is before the courts; there is nothing that can be done. A category II vacant building file was opened March 29, 2008.

Mr. Vanderbeek said that the City Council has known about this for awhile. He has spoken with Councilmember Thune. Mr. Vanderbeek said that Councilmember Thune told him that it sounded as though the realtor had acted unlawfully and sold Mr. Vanderbeek the property when he shouldn't have. It was estimated to cost \$5,000 and is the seller's responsibility to bring it up to code. After closing, Mr. Vanderbeek was given earnest money and told to call different inspectors. He said that he tried calling but always got a voice saying the mailbox was full. Councilmember Thune did not give Mr. Vanderbeek a letter but suggested that he get a copy of the law. Mr. Vanderbeek was not given a copy of the law. He knew that something had gone into effect that related to his situation, so he checked online in the 18th floor library but it was removed. Mr. Vanderbeek said that he would like to bring the appeal before the City Council with the realtor next to him.

Ms. Moermond said that the record shows a couple of inspector's trips. She asked Mr. Vanderbeek why he should not be held responsible for the cost of those trips. He replied that it was the responsibility of the seller. Ms. Moermond said that Mr. Vanderbeek needed to have a private conversation with the seller. The City does not have anything to do with the situation, only the property taxes. Mr. Vanderbeek can bring people before the City Council, but Ms. Moermond is not sure how they can address it. This is for two (2) inspection fees.

Mr. Vanderbeek said that he closed on the property in November. Ms. Moermond asked whether he had checked with registered titles; sometimes it takes longer. Ms. Moermond said that what happened in December of 2008 was that the Bostrom Ordinance, which prohibits the sale of category II vacant buildings unless the owner rehabilitates the property and brings to up to code, took effect.

Ms. Moermond recommended approving the assessment.

858 & 856 Iglehart Ave (J1101E) no show; approve the assessment.
470 Rose Avenue East (J1101E) no show; approve the assessment.